

ORDINANCE NO. ____ OF 2012

BY:

AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING 85 ACRES ON THE NORTH SIDE OF INDUSTRIAL LOOP, WEST OF LINWOOD, AND 227 ACRES ON THE SOUTH SIDE OF INDUSTRIAL LOOP, EAST OF BRUSHY BAYOU, SHREVEPORT, CADDO PARISH, LA, FROM R-A, RESIDENCE AGRUCULTURE DISTRICT TO B-3, COMMUNITY BUSINESS DISTRICT, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

SECTION I: BE IT ORDAINED by the City Council of the City of Shreveport, Caddo Parish, LA, in due, legal and regular session convened, that the zoning classification of 85 acres on the north side of Industrial Loop, west of Linwood, and 227 acres on the south side of Industrial Loop, east of Brushy Bayou, Shreveport, Caddo Parish, LA, legally described below, be and the same is hereby changed from R-A, Residence-Agriculture District to B-3, Community Business District:

TRACT 1: An 85.614 acre tract of land located in Sect 2, T16N, R14W, Shreveport, Caddo Parish, LA, more particularly described as: Commence at the SE corner of Sect 2; thence along the east section line of Sect 2 N1°29'45"W 100 feet; thence N88°57'35"W 274.49 feet to the POB and being in the north R/W line of Industrial Loop; thence along said north R/W line N88°57'35"W 646.44 feet to the beginning of a curve to the right having a radius of 1809.91 feet a chord bearing of N77°5'0"W and a chord length of 741.79 feet; thence along said curve to the right an arc length of 747.08 feet; thence N65°15'30"W 347.65 feet; thence N60°59'46"W 744.11 feet to the beginning of a curve to the left having a radius of 745.70 feet a chord bearing of N1°13'53"E and a chord length of 32.22 feet; thence leaving said north R/W line and along said curve to the left an arc length of 32.23 feet; thence N1°14'19"E 1259.27 feet; thence S88°46'49"E 1367.76 feet; thence S1°33'31"W 354.59 feet; thence S57°47'7"E 88.31 feet to the beginning of a curve to the right having a radius of 266.41 feet a chord bearing of S26°42'43"E and a chord length of 281.32 feet; thence along said curve to the right an arc length of 296.37 feet; thence S5°9'24"W 40.05 feet to the beginning of a curve to the left having a radius of 270 feet a chord bearing of S78°1'27"E and a chord length of 536.18 feet; thence along said curve an arc length of 783.96 feet; thence N17°59'25"E 175 feet; thence N46°26'43"E 383.55 feet; thence S88°43'47"E 171.63 feet to a point in the west R/W line of Linwood; thence along said R/W line S1°29'45"W 1374 feet; thence N88°56'37"W 205.58 feet; thence S1°11'8"W 4.91 feet; thence S89°35'41"W 30 feet; thence S1°11'8"W 194.05 feet to the POB and containing 85.614 acres. **TRACT 2:** A 27.763 acre tract of land located in Sect 2 and Sect 11, T16N, R14W, Shreveport, Caddo Parish, LA, more particularly described as: Commence at the SE corner of Sect 2; thence along the south line of Sect 2, N88°57'35"W 1315.21 feet; thence S1°11'42"W 60.52 feet to the POB and being in the south R/W line of Industrial Loop; thence S1°11'42"W 1263.32 feet; thence N89°8'32"W 299.58 feet; thence N12°32'58"W 151.46 feet to the beginning of a curve to the left having a radius of 1100.27 feet a chord bearing of N23°0'28"W a chord length of 399.44 feet; thence along said curve to the left an arc length of 401.66 feet to a compound curve to the left having a radius of 394.85 feet a chord bearing of N49°21'22"W and a chord length of 216.21 feet; thence along said curve to the left 219.01 feet; thence N65°14'46"W 393.04 feet to the beginning of a curve to the right having a radius of 80.91 feet a chord bearing of N41°26'1"W and a chord length of 65.33 feet; thence along said curve to the left an arc length of 67.25 feet; thence N17°37'15"W 698.97 feet to the beginning of a curve to the right having a radius of 209.14 feet a chord bearing of N7°50'46"W and a chord length of 71.01 feet; thence along said curve to the right an arc length of 71.36 feet; thence N1°55'44"E 148.04 feet to a point in the south R/W line of Ind'l Loop; thence along said south R/W line S69°32'47"E 608.92 feet; thence continuing along said south R/W line S65°15'26"E 347.65 feet to the beginning of a curve to the left having a radius of 2009.91 feet a chord bearing of S71°25'19"E and a chord length of 431.67 feet; thence along said curve to the left an arc length of 432.51 feet to the POB and containing 27.763 acres.

SECTION II: THAT the rezoning of the property described herein is subject to compliance with the following stipulations:

1. Development of the property shall be in substantial accord with the Master plan submitted with any significant changes or additions requiring further review and approval by the Planning Commission.
2. A site development plan describing all of the proposed improvements shall be submitted to the Planning Commission prior to the issuance of building permits.

BE IT FURTHER ORDAINED that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items, or applications of this ordinance which can be given effect without the invalid provisions, items, or applications and to this end the provisions of this ordinance are hereby declared severable.

BE IT FURTHER ORDAINED that all ordinances or parts thereof in conflict herewith are hereby repealed.

**METROPOLITAN PLANNING COMMISSION
LAND USE REPORT – DECEMBER 5, 2012**

id

CASE NO:	C-72-12: 400 & 500 Block of Bert Kouns Industrial Loop	District: D/Corbin
APPLICANT:	LINWOOD DEVELOPMENT, L.L.C. & CHRIS DEMOPULOS	District: 10/Cox
LAND OWNER:	Linwood Development, L.L.C. & The Christopher Trust & SSD Trust	
LOCATION:	Tract 1. 85 acres on the north side of Industrial Loop, west of Linwood. Tract 2. 27 acres on the south side of Industrial Loop east of Brushy Bayou	
ZONING:	R-A to B-3	
PROPOSED:	B-3 development	

MASTER PLAN CONSIDERATIONS:

- This property is located inside the loop boundary and is identified in the Future Land Use map as "Institutional", which includes hospitals, colleges, nonprofit research facilities, and universities. While the requested B-3 zoning district could include uses that support the land use designation, the majority of the permitted uses are not consistent with the Master Plan's recommended use of the property.

GENERAL INFORMATION:

- The applicant is requesting to rezone 112+ acres of land to B-3 for unspecified commercial development.
- The B-3 zoning district is more appropriate for select properties along major thoroughfares and highways, as it allows some of the most intense commercial uses in the City that would have adverse impacts on the surrounding properties.
- **While the property does have frontage along Bert Kouns Industrial Loop, the majority of the property is located a considerable distance from the highway and adjacent to existing residential properties and a stream, which should be protected from the intense and potentially offensive uses included in the proposed zoning district.**
- No site plan has been submitted.
- If approved for the base zoning, another Public Hearing would be required for site plan approval and subdivision.
- Tract 1 is adjacent to B-3 on the east, B-2 to the north, & R-1D (a cemetery) to the west.
- Tract 2 is adjacent to B-3 on the east, I-1 to the south, & R-1D across Brushy Bayou to the west.
- **Both tracts of land would appear to be too large for speculative B-3 zoning. A master plan showing sensitivity to adjacent residential uses as well as existing development is essential when dealing with 112+ acres of land.**

SITE PLAN CONSIDERATIONS:

- **Tract 1** is 85.614 acres on the north side of Bert Kouns.
This tract has approximately 2300 feet of frontage on Bert Kouns & 1,400 feet on Linwood.
Tract 2 is 27.763 acres on the south side of Bert Kouns.
This tract has approximately 1,400 feet of frontage on Bert Kouns with a depth of 1,263 on the east property line.
- **Access management is a key issue concerning these sites.**

PUBLIC'S ASSESSMENT

One person spoke in opposition (Calvary Baptist Church).

BOARD'S DECISION

The Board voted 8-0 to recommend approval of this application, subject to compliance with the following stipulations:

1. Development of the property shall be in substantial accord with the Master plan submitted with any significant changes or additions requiring further review and approval by the Planning Commission.
2. A site development plan describing all of the proposed improvements shall be submitted to the Planning Commission prior to the issuance of building permits.

The information stated herein is the result of discussion by a staff review team. The Board members will use all information made available to them in making their decision.

A Planning Commission approval is a use approval only. The applicant is still responsible for complying with all other applicable Zoning Ordinance requirements and obtaining all necessary permits and approvals from other departments or agencies. This shall include, but not be limited to the requirements of the Zoning Administrator, building permits, liquor licenses, the parish health unit, and Certificates of Occupancy.

C-72-12

B-2

R-1D

B-2

R-A

Private Road/Drive

Kennie

R-1D(PUD)

BRUSHY BAYOU

R-1D

R-A

R-1D

B-2

R-A to
B-3

R-A

B-2

Bert Kouns Industria

B-3

R-A

R-A to
B-3

500' NOTIFICATION
AREA

R-1D

I-1

Quiet

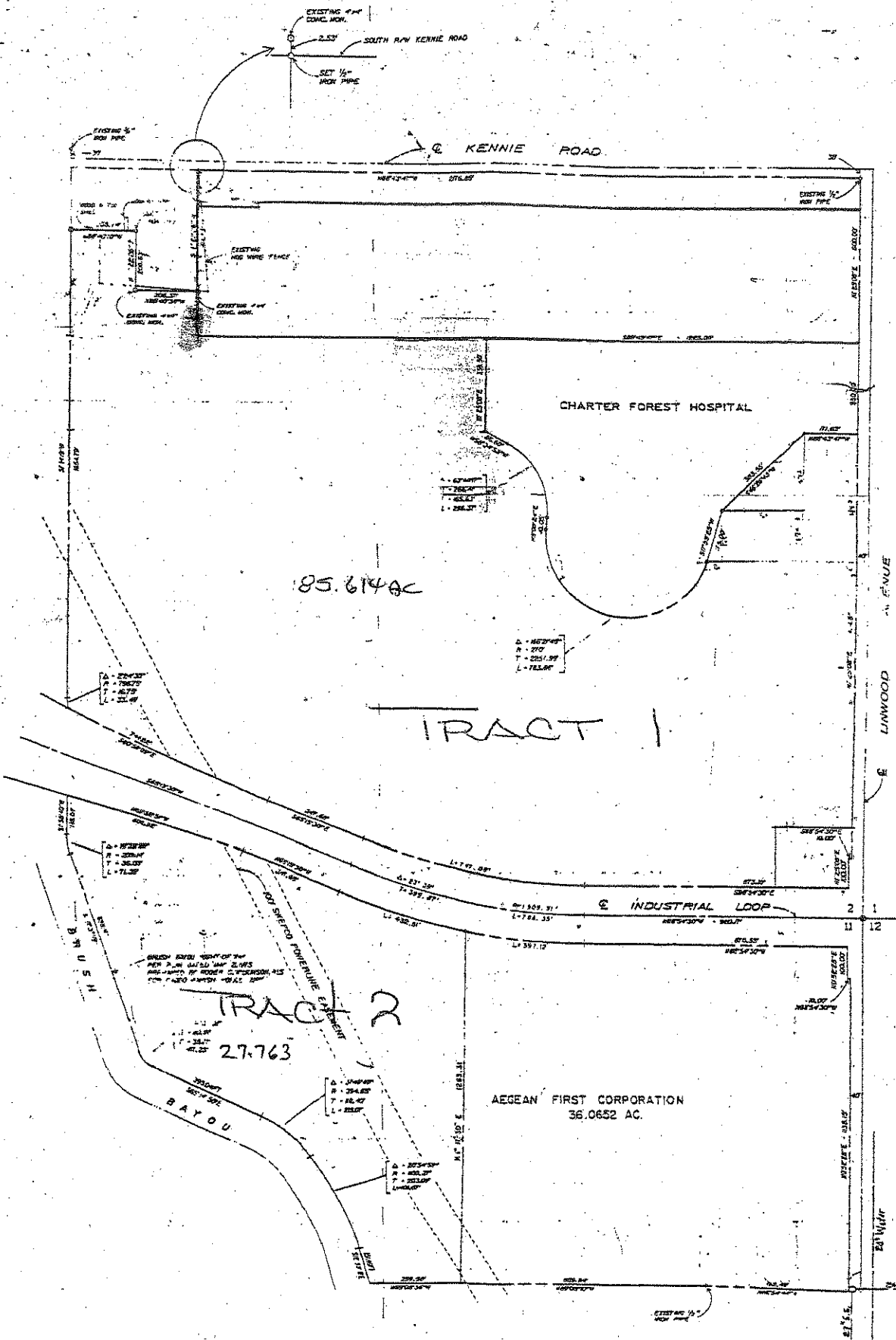
Beacon

Crooked Creek

incals



SCALE: 1" = 500'



APPLICATION: X CITY CASE PARISH CASE

APPLICANT'S NAME: LINWOOD DEVELOPMENT, LLC & CHRIS DEMOPULOS

PEOPLE REPRESENTED BY APPLICANT other than self or property owner (if public information):

MAILING ADDRESS FOR ALL CORRESPONDENCE:

1192 Hawn Avenue

PHONE: 318-222-9504

(between 8:00 & 5:00)

Shreveport, LA

ZIP CODE: 71107

FAX # 318-424-2029

EXISTING ZONING:

R-A

PROPOSED ZONING:

B-3

ACCEPTABLE ALTERNATIVE:

MPC APPROVAL ☒

SITE PLAN ☐

PBG APPROVAL ☐

PUD APPROVAL ☐

PROPOSED USE: Provide for Commercial Development

EXISTING USE: Vacant

IMPROVEMENTS TO BE CONSTRUCTED/REMOVED/DEMOLISHED: None

REASON FOR APPLICATION (justification for zoning change): Change in Conditions in the area

to Provide for Commercial Development requires Change in the Ordinances..

ADDRESS OF SITE: Bert Kouns Industrial Loop at Linwood Avenue, Shreveport, LA 71106

ASSESSOR'S ACCOUNT NUMBER: 161402-000-0138-00 & 161411-000-0078-00

Found on tax notice - example; 171413-057-0047-00

LEGAL DESCRIPTION: See Attached

NAME, ADDRESS, AND SIGNATURE OF ALL PROPERTY OWNERS: The property owner's signature is mandatory. ALL property owners must sign. All property owners must sign unless one person has the power of attorney to sign for others and that power of attorney is submitted with the application. A managing partner in a corporation may sign and submit written authorization, or write "managing partner" by the signature. If in business name or corporation, list all persons owning 5% or more. Attach separate sheet if necessary.

90%

Linwood Development, LLC

Name 1192 Hawn Avenue

Shreveport, LA 71107

Address Gus S. Mijalis

Signature Gus S. Mijalis
Manager

James A. Mijalis
Manager

Name

Address

Signature Sammy A. Mijalis
Manager

The Christopher Trust & SSD Trust

Name 331 Janie Lane

Shreveport, LA 71106

Address Chris Demopoulos

Signature Chris Demopoulos,
"TRUSTEE"

C- 72 - '12

STATEMENT OF INTENT
GENERAL REZONING

APPLICANT'S NAME: LINWOOD DEVELOPMENT, LLC & CHRIS DEMOPULOS

NATURE AND DESCRIPTION OF BUSINESS: Land Development

REASON FOR AMENDMENT: (It is public policy to amend the Zoning Ordinance only when one or more of the following conditions prevail)

- ☐ ERROR (there is a manifest error in the Zoning Ordinance)
- ☒ CHANGE IN CONDITIONS (changing conditions in a particular area make change in the Ordinance necessary and desirable)
- ☐ INCREASE IN NEED FOR SITES FOR BUSINESS & INDUSTRY (increased need for sites in addition to sites that are available)
- ☒ SUBDIVISION OF LAND (the subdivision of land into urban building sites makes reclassification necessary and desirable)

SQUARE FEET OF PROPERTY: 4,938,832.80 SF (more or less)

SQUARE FEET OF STRUCTURE(S) n/a n/a n/a

PARKING SPACES REQUIRED: n/a SPACES PROVIDED: n/a

HOURS OF OPERATION (state proposed hours) n/a

To operate beyond these hours, you will need to check "Hours of Operation" under "Variance Request" on the application page.

B-1	7AM to 7PM,
B-2 (within 300' of residential)	7AM to 10PM
B-2 (not within 300' of residential)	7AM to 12 midnight
B-3 hours	7AM to 12 midnight
SPI-3	7AM to 9PM

IS WATER PROVIDED BY THE CITY OF SHREVEPORT? Yes IF NOT - WHAT IS THE SOURCE OF WATER? n/a

IS SEWER PROVIDED BY THE CITY OF SHREVEPORT? Yes IF NOT - WHAT IS THE SOURCE OF SEWER? n/a

IF SEPTIC TANK - HAS IT BEEN APPROVED BY THE HEALTH DEPARTMENT? n/a
Water and/or Sewer availability letter will be required see the bottom of "check list" page (second page of application packet).

IS PROPERTY IN A FLOOD PLAIN/FLOOD WAY? No

RHB DESIGN/BUILD L.L.C
Engineering and Development

Shopping Centers
Waterworks
Streets and Drainage
Sewerage Facilities
Inspection Services

Ralph H. Brown, P.E.
Owner
Office 318-797-1808
Cell 318-464-6317
Fax 318- 797-1808

Mr. Charles Kirkland
City of Shreveport
Metropolitan Planning Commission
505 Travis St.
Shreveport, LA 71101

Dear Mr. Kirkland:

Re: Curb cuts on Bert Kouns Ind. Loop

Please be advised that Engineers with the Louisiana Department of Highways, Fourth District, allowed me to use any or all of the existing three (3) curb cuts along the center line of Bert Kouns Industrial Loop West of Linwood Avenue to Brush Bayou , for the purpose of accessing properties both to the North and to the South.

If you should need additional information regarding my discussions with the Highway Engineers, I will be pleased to help.

I trust you are doing well and look forward to seeing you soon.

Sincerely,


Ralph H. Brown, P.E.

Office- 10980 Belle Cour Way
Shreveport, Louisiana 71106

Case No: C-72-12;
Submitted at the 12.5.12
public hearing.

**SHREVEPORT METROPOLITAN PLANNING COMMISSION
SUMMARY MINUTES OF THE PUBLIC HEARING
DECEMBER 5, 2012**

A regularly scheduled public hearing of the Shreveport Metropolitan Planning Commission was held on Wednesday, December 5, 2012, at 1:00 p.m. at Government Plaza Chamber, 505 Travis Street, Shreveport, Caddo Parish, LA. The Board members met for lunch prior to the public hearing.

Members Present

Winzer Andrews, Chairman
Lea Desmarteau, Secretary
Alan Young
Bessie Smith
Dale Colvin
Mary Wilson
Larry Ferdinand
Mary Ruffins

Staff Present

Charles Kirkland, Executive Director
Roy Jambor, Senior Planner
Alan Clarke, Zoning Administrator
Stephen Jean, Senior Planner
Diane Tullos, Office Administrator
Dara Sanders, Master Plan Administrator
Ione Dean, Senior Planner

Bus Tour

Tour was cancelled; members were encouraged to individually tour the sites.

Members Absent

Desi Sprawls, Vice Chairman

Others Present

Kosha Gilbert, Asst. City Attorney

The hearing was opened with prayer by **MRS RUFFINS**, with the public being invited to participate.

The meeting was called to order and the procedure in hearing the applications on today's agenda was explained. All who wished to speak were urged to speak clearly into the microphone and to give their name and mailing address for further reference.

All decisions rendered by the Metropolitan Planning Commission are subject to appeal to the appropriate governing body, either the City Council or the Caddo Parish Commission. Appeals must be filed within 10 days from the date a decision is rendered by the Metropolitan Planning Commission.

In compliance with legislative action, anyone wishing to comment on any item on the agenda, not scheduled for public hearing on this date, will be permitted 3 minutes to do so prior to the Board's Deliberations.

A motion was made by **MR. COLVIN**, seconded by **MR. FERDINAND** to approve the minutes of the November 7, 2012 public hearing as submitted.

The motion was adopted by the following 8-0 vote: Ayes: Messrs. **ANDREWS**, **COLVIN**, **YOUNG**, **FERDINAND**, and Meses. **SMITH**, **RUFFINS**, **DESMARTEAU**, and **DR. WILSON**. Nays: None. Absent: **Mr. SPRAWLS**.

CASE NO. C-72-12: 400 & 500 blk Bert Kouns

LINWOOD DEVELOPMENT, L.L.C. & CHRIS DEMOPULOS

Linwood Development, L.L.C. & The Christopher Trust & SSD Trust

85 acres on the north side of Ind'l Loop, west of Linwood, AND 227 acres on the south side of Ind'l Loop east of Brushy Bayou

R-A to B-3

B-3 development

Representative and/or support:

Mr. James Mijalis, Attorney (300 Marshall, Suite 500, Shreveport, LA 71101)

Mr. Gus Mijalis (1192 Hawn Avenue, Shreveport, LA) No slip filled out

Mr. Brad Goslee, Dowling Goslee Real Estate (8805 Line Avenue, Shreveport, LA) No slip filled out

Speaking in opposition:

Rev. Steve Angell, Calvary Baptist Church (9333 Linwood, Shreveport, LA 71106)

- Concern about speculative nature of development; could have negative impact on his church (i.e., truck stop, hotel)
- They would like to see an actual master plan for proposed development; B-1 or B-2 zoning would be more acceptable

Rebuttal: (J. Mijalis)

- The property owner is sensitive to this area since they have developed most of the surrounding businesses
- The proposed development will be consistent with area uses; specific site plans will have to be approved by the Board
- Submitted a letter from Ralph Brown stating that the State will allow them 3 curb cuts

A motion was made by **MR. FERDINAND** seconded by **MRS. SMITH** to recommend approval of this application, subject to compliance with the following stipulations:

1. Development of the property shall be in substantial accord with the Master plan submitted with any significant changes or additions requiring further review and approval by the Planning Commission.
2. A site development plan describing all of the proposed improvements shall be submitted to the Planning Commission prior to the issuance of building permits.

(Discussion)

- There are 3 current uses in this immediate area, even closer to Calvary Baptist Church, that sell alcohol (Brookshire's, Raceway, and Texaco)

The motion was adopted by the following 8-0 vote: Ayes: Messrs. **ANDREWS**, **COLVIN**, **YOUNG**, **FERDINAND**, and Meses. **SMITH**, **RUFFINS**, **DESMARTEAU**, and **DR. WILSON**. Nays: None. Absent: **Mr. SPRAWLS**.